

KING & SPALDING

The motion is granted. The Clerk of Court shall maintain the seal of ECF No. 302 to be viewable only by the parties and Court personnel. The Clerk shall terminate ECF No. 297.

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SO ORDERED.

Dated: 5/14/24
New York, New York
January 26, 2024

/s/ Alvin K. Hellerstein
Alvin K. Hellerstein
United States District Judge

Randy M. Mastro
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Via ECF

Hon. Alvin K. Hellerstein
United States District Court for the Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *The Avon Company f/k/a New Avon LLC, et al. v. Fareva Morton Grove, Inc., et al.*,
No. 1:22-cv-04724-AKH

Dear Judge Hellerstein:

I write as counsel to Fareva Morton Grove, Inc. and Fareva S.A. (collectively, “Fareva”) in the above-captioned action to respectfully request that this Court enter an order maintaining under seal the documents listed below, which Fareva is submitting as exhibits in support of its opposition to Avon’s motion for partial summary judgment regarding termination. Copies of these documents and Fareva’s Opposition Brief are being filed contemporaneously under seal pursuant to the Court’s standing order, 19-mc-00583, and Your Honor’s Individual Rule 4(B). In support of this request, Fareva states as follows:

In support of its opposition to Avon’s motion for partial summary judgment regarding termination, Fareva is submitting as exhibits copies of the following documents:

- An e-mail thread bearing bates numbers FMG_00244671–FMG_00244674 (Ex. B to the Declaration of Paul Weeks, dated January 26, 2024, and filed concurrently herewith); and
- A letter bearing bates numbers AVON0085897–AVON0085909 (Ex. C to the Declaration of Paul Weeks, dated January 26, 2024, and filed concurrently herewith).

On October 7, 2022, the Court entered a Stipulated Confidentiality Agreement and Protective Order (the “Protective Order”). See ECF No. 65. The Protective Order permits either party to designate Discovery Material as “Confidential.” See *id.* ¶¶ 2, 12. The parties produced the above-listed documents designated “Confidential” pursuant to the Protective Order.

Fareva respectfully requests the Court maintain the above documents under seal because they disclose non-public, sensitive business information of concerning, among other things, valuation and appraisal information and other potential business plans. This information, if publicly disclosed, could have an adverse impact on Fareva's business. Because Avon also has designated information in these documents "Confidential," Fareva further requests to file these documents under seal to afford Avon the opportunity to seek to maintain these documents under seal on additional grounds, should Avon deem it necessary and appropriate to do so.

As always, we thank the Court for its consideration.

Respectfully submitted,

/s/ Randy M. Mastro

Randy M. Mastro

cc: All counsel of record (via ECF)